

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BRADLEY TANKIEWICZ,

Plaintiff,

13-CV-3914 (JS)(ARL)

-against-

UNITED SERVICE WORKERS UNION LOCAL 74  
and PINELAWN CEMETARY,

**DECLARATION OF  
ZACHARY HARKIN**

Defendants.  
-----X

ZACHARY HARKIN, declares as follows under penalty of perjury pursuant to 28 U.S.C.  
§ 1746:

1. I am an associate at the law firm of O'Dwyer & Bernstein, LLP, counsel to defendant UNITED SERVICE WORKERS UNION LOCAL 74 ("Local 74") in the above-captioned matter. I am a member in good standing of the Bar of the State of New York, and admitted to practice in this Court.

2. Attached hereto as Exhibit "A" are true and correct copies of collective bargaining agreements and memoranda of agreement, which together constitute the collective bargaining agreement between Local 74 and defendant Pinelawn Cemetery ("Pinelawn") covering certain Pinelawn employees, including plaintiff.

3. Attached hereto as Exhibit "B" is a true and correct copy of a termination letter from Pinelawn Superintendent Justin Locke to plaintiff dated March 26, 2013.

4. Attached hereto as Exhibit "C" is a true and correct copy of a grievance letter from Local 74 Business Representative Mike Herron to Pinelawn Superintendent Justin Locke dated April 3, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 11, 2013  
New York, New York

/s/ Zachary Harkin  
ZACHARY HARKIN

**CERTIFICATE OF SERVICE**

I, Zachary Harkin, hereby certify a true and correct copy of the foregoing was served this  
11<sup>th</sup> day of October, 2013, via CM/ECF filing upon:

Edward Sample, Esq.  
Frank & Associates, P.C.  
Attorneys for plaintiff  
500 Bi-County Blvd, #112N  
Farmingdale, NY 11735

Eve Klein, Esq.  
Eric Ruden, Esq.  
Duane Morris LLP  
Attorneys for defendant Pinelawn Cemetery  
1540 Broadway  
New York, NY 10036

Dated: October 11, 2013  
New York, NY

/s/ Zachary Harkin  
Zachary Harkin